

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEANNE L. NORDSTROM, a single
woman,

Plaintiff,

v.

SPOKANE COUNTY, a municipal
corporation; and BERNARD
BAUMBARDNER, III, and BETTY
BAUMGARDNER, husband and wife
and the marital community
thereof,

Defendants.

NO. CV-08-374-EFS

**ORDER GRANTING STIPULATED
MOTION FOR VOLUNTARY ORDER OF
DISMISSAL OF DEFENDANT BETTY
(BAUMBARDNER) MONTOYA WITH
PREJUDICE AND DENYING AS MOOT
DEFENDANT BETTY (BAUMGARDNER)
MONTOYA'S MOTION TO DISMISS
FOR FAILURE TO STATE A CLAIM**

By Stipulation filed September 9, 2010, the parties agree that all
claims against Defendant Betty (Baumbardner) Montoya can be dismissed
with prejudice and without costs or attorney's fees. (Ct. Rec. [30](#).)
Based on the parties' Stipulation, **IT IS HEREBY ORDERED:**

1. The parties' Motion for Voluntary Order of Dismissal of Defendant
Betty (Baumgardner) Montoya with Prejudice (**Ct. Rec. [30](#)**) is **GRANTED**. All
claims against Defendant Betty (Baumgardner) Montoya are **DISMISSED with
prejudice**.

2. Defendant Betty (Baumbardner) Montoya's Motion to Dismiss for
Failure to State a Claim upon Which Relief May be Granted (**Ct. Rec. [27](#)**)

1 is **DENIED as moot.**

2 3. The Clerk's Office shall amend the case caption to read:

3 DEANNE L. NORDSTROM, a single woman,

4 Plaintiff,

5 v.

6 SPOKANE COUNTY, a municipal corporation; and BERNARD
7 BAUMBARDNER, III,

8 Defendants.

9 IT IS SO ORDERED. The District Court Executive is directed to enter
10 this Order and provide a copy to counsel.

11 **DATED** this 27th day of September 2010.

12 S/ Edward F. Shea

13 EDWARD F. SHEA

14 United States District Judge

15 Q:\Civil\2008\374.Stip.Dismiss.wpd